



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

WETLANDS & SUBAQUEOUS
LANDS SECTION

TELEPHONE (302) 739-9943
FACSIMILE (302) 739-6304

Letter of Authorization No.: LA-307/15

Date of Issuance: 9/28/2015

Expiration Date: 9/28/2016

Amended Date:

Tax Parcel No.: n/a

LETTER OF AUTHORIZATION

GRANTED TO THE CITY OF REHOBOTH BEACH TO CONDUCT TWO SOIL BORINGS TO OBTAIN A MINIMUM OF 6 SOIL SAMPLES AT THE PROPOSED LOCATION OF THE DIFFUSER PIPE AND ALONG THE PROPOSED OPEN CUT TRENCH PORTION OF THE OUTFALL PIPE ASSOCIATED WITH THE PROPOSED CITY OF REHOBOTH BEACH WASTEWATER TREATMENT PLANT OCEAN OUTFALL PROJECT IN THE ATLANTIC OCEAN OFF OF REHOBOTH BEACH, SUSSEX COUNTY, DELAWARE

City of Rehoboth Beach
c/o GHD, Inc.
Attn.: Brandon Gott
16701 Melford Blvd., Suite 330
Bowie, MD 20715

Pursuant to the provisions of 7 Del. C., §7205, the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 28th day of September A.D. 2015 to perform the above referenced project in accordance with the approved plans for this Letter of Authorization (2 Sheets) as approved on September 28, 2015 and the application dated July 24, 2015, and received by this Division on July 24, 2015.

WHEREAS, pursuant to the provisions of 7 Del. C. §7203, the Secretary of the Department of Natural Resources and Environmental Control through his duly authorized representative finds that it is not contrary to the public interest if this project is approved subject to the terms and conditions herein set forth.

This Letter of Authorization is issued subject to the following conditions:

Delaware's good nature depends on you!

SPECIAL CONDITIONS

1. Approval of this sampling project should not be interpreted to assume approval by the Department of the proposed City of Rehoboth Beach Wastewater Treatment Plant Ocean Outfall Project or that project specific conditions not required for this project will not be required by the Department for that project.

GENERAL CONDITIONS

1. The work authorized by this Letter of Authorization shall be completed in accordance with the terms and conditions of the applicable Department of the Army Permit.
2. This Letter of Authorization is granted for the purpose of conducting two soil borings to obtain a minimum of 3 soil samples per boring, as stated in the permit application. Any other use without prior approval shall constitute reason for this Letter of Authorization being revoked.
3. The permittee and contractor shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
4. The activities authorized herein shall be undertaken in accordance with the conditions in this Letter of Authorization, the final stamped and approved plans, and with the information provided in the permit application.
5. A copy of this Letter of Authorization and the stamped approved plans shall be available on-site during all phases of construction activity.
6. The conditions contained herein shall be incorporated into any and all construction contracts associated with the construction authorized herein. The permittee and contractor are responsible to ensure that the workers executing the activities authorized by this Letter of Authorization have full knowledge of, and abide by, the terms and conditions of this Letter of Authorization.
7. The permittee shall protect and hold the State of Delaware harmless from any loss, cost or damage resulting from the activities authorized herein.
8. The issuance of this Letter of Authorization does not constitute approval for any activities that may be required by any other local, state or federal government agency.
9. The issuance of this Letter of Authorization does not imply approval of any other part, phase, or portion of any overall project the permittee may be contemplating.

10. This Letter of Authorization authorizes only the activities described herein. Modifications to the project may require a supplemental approval from this office prior to the initiation of construction. A determination of the need for a supplemental approval will be made by this office pursuant to the permittee submitting written notification and revised plans indicating project changes. Failure to contact the Department prior to executing changes to the project shall constitute reason for this Letter of Authorization being revoked.
11. Representatives of the Department of Natural Resources and Environmental Control shall be allowed to access the property to inspect all work during any phase of the construction and may conduct pre and post-construction inspections, collect any samples or conduct any tests that are deemed necessary.
12. The activities authorized herein shall be conducted so as not to violate the State of Delaware's Surface Water Quality Standards, as amended June 11, 2011.
13. All construction materials, waste or debris associated with this activity shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands. Construction materials shall not be stockpiled in subaqueous lands or wetlands.
14. Disturbance of subaqueous lands or wetlands adjacent to the authorized structures or activities is prohibited. Disturbance of subaqueous lands or wetlands in the path of construction activity shall be minimized. Any temporarily impacted subaqueous lands or wetlands shall be returned to pre-disturbance elevations and conditions.
15. The permittee and contractor shall employ measures during construction to prevent spills of fuels, lubricants or other hazardous substances. In the event of a spill, the permittee and contractor shall make every effort to stop the leak and contain the spill, and shall immediately contact the Hazardous Spill Response Team (HAZMAT) at 1-800-662-8802 and this office at (302) 739-9943. The permittee and contractor are responsible to comply with all directives to contain and clean up the spilled material(s) as stipulated by the HAZMAT team, and to restore the site as may be required by this office.
16. None of the construction activities authorized herein shall occur after the construction expiration date identified on Page One of this Letter of Authorization. The permittee may file one construction expiration date extension request of up to one (1) year if necessary to complete the authorized work. Such requests must be received by the Department at least thirty (30) days prior to the construction expiration date.
17. The permittee shall notify the Wetlands and Subaqueous Lands Section prior to the commencement of the work authorized by this Letter of Authorization.

18. The permittee shall maintain all authorized structures and activities in a good and safe condition.
19. Any actions, operations or installations which are found by the Department to be contrary to the public interest may constitute reason for the discontinuance and/or removal of said action, operation or installation. Removal and restoration shall be at the expense of the permittee and/or upland property owner within thirty (30) days of receipt of written notice of revocation and demand for removal.
20. This Permit is personal but may be transferred provided the permittee provides prior notice to the Department of the intent to transfer and the new property owner provides appropriate documentation to substantiate ownership of the adjacent upland property and/or the structures authorized herein. Failure to transfer this Permit to a new owner may result in the revocation of the Permit and the removal of all structures authorized by this Permit at the expense of the permittee.
21. Failure to comply with any of the terms or conditions of this Letter of Authorization may result in enforcement action, which could include the revocation of this Letter of Authorization, and subsequent restoration of the site to preconstruction conditions.

IN WITNESS WHEREOF, I, Steven M. Smailer, the duly authorized representative of David S. Small, Secretary, Department of Natural Resources and Environmental Control, have hereunto set my hand this 28th day of September, 2015.

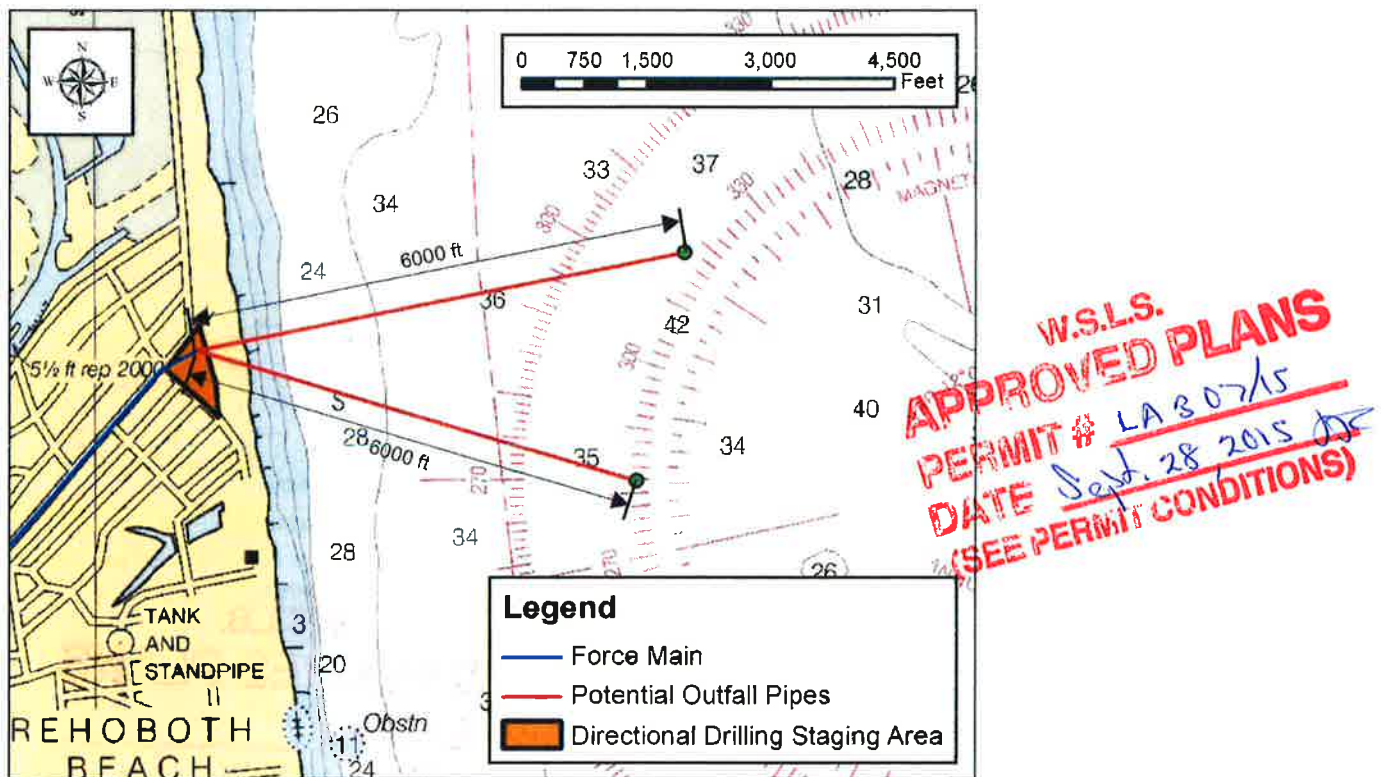


Steven M. Smailer, Section Manager,
the duly authorized representative of the Secretary
of the Department of Natural Resources and
Environmental Control



Location	Coordinates	Perpendicular distance from shore
South Location	N 38° 43.333', W 75° 03.631'	4,430 ft (1,350 m)

Figure 4-4 Proposed Ocean Outfall Locations

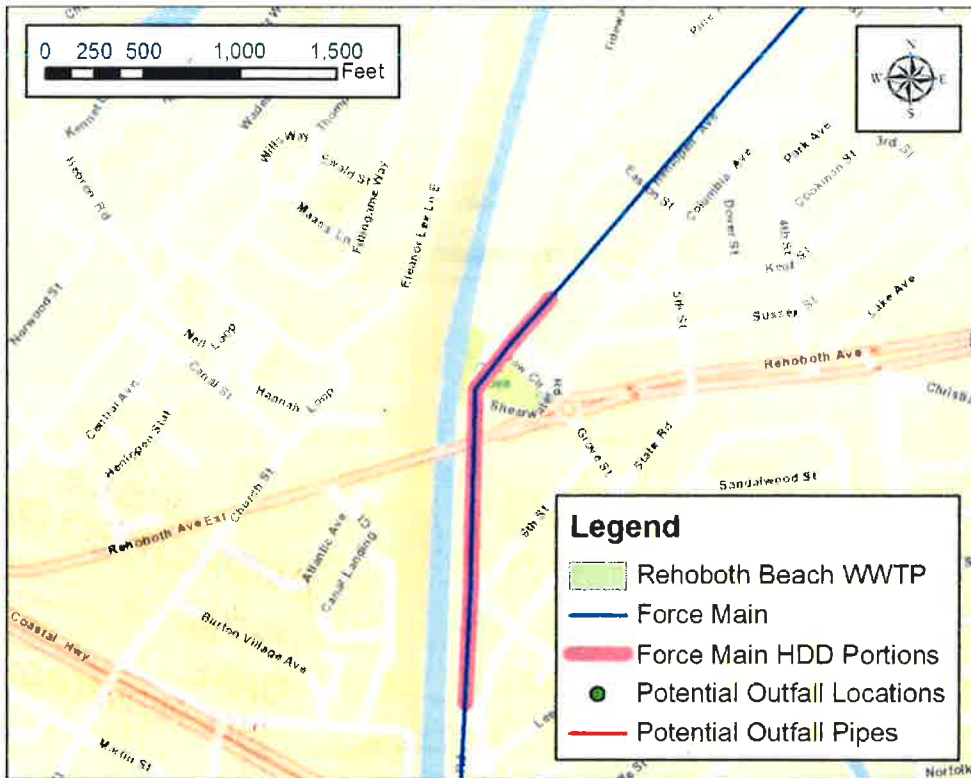


The proposed location is based on preliminary modeling performed for the 2005 Effluent Disposal Study by Lawler, Matusky & Skelly Engineers, which shows that adequate dilution will occur at 5,430 linear feet (1,830 meters) from shore. The proposed location to exit the beach area was chosen because it offers a convenient area for staging the construction and because the routing of the force main from the RBWWTP to this point was relatively straightforward. Alignments to the south of the City would be more difficult. Also, outfall locations to the north are limited by the presence of Cape Henlopen Park and to the south by the boardwalk and the congested city area.

The Deauville Beach access parking lot located at the intersection of Henlopen Ave and Duneway provides adequate space for construction and should minimize disruption to local businesses and residences.



Figure 4-3 HDD Portion of the Proposed Effluent Force Main



W.S.L.S.
APPROVED PLANS
PERMIT # LA 307/15
DATE Sept 28, 2015 *JTC*
(SEE PERMIT CONDITIONS)

4.5 Ocean Outfall

4.5.1 Location

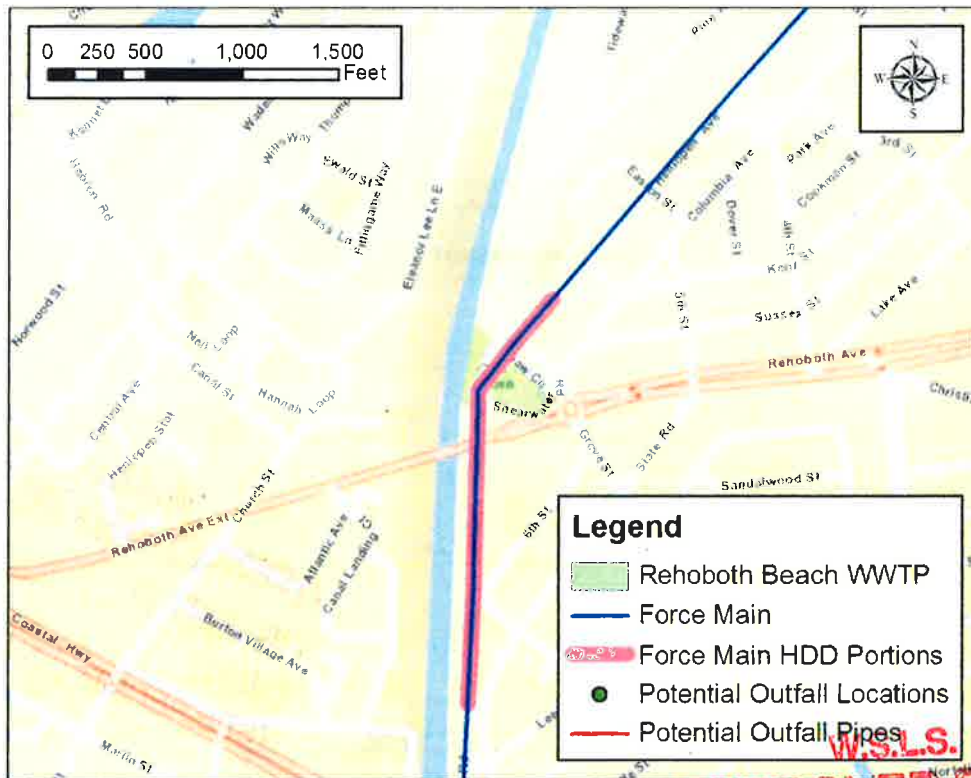
The Effluent Disposal Study (Stearns & Wheeler 2005) identified the general location for the proposed ocean outfall. Two specific locations within this general area are investigated in this report as potential outfall locations. At either location, an outfall pipe will extend 6,000 linear feet (1,830 meters) east from the termination of the land-based forcemain within Deauville Beach parking area. The ocean outfall pipe would terminate with a diffuser pipe at a water depth of approximately 40 feet (12 meters). The specific locations that were evaluated for the ocean outfall are detailed in Table 4-2 and shown in Figure 4-4. Figure 4-5 provides a broader perspective of the outfall location and shows that the outfall in relation to the Hen and Chicken Shoals.

Table 4-2 Proposed Ocean Outfall Locations

Location	Coordinates	Perpendicular distance from shore
North Location	N 38° 43.787', W 75° 03.505'	5,430 ft (1,660 m)



Figure 4-3 HDD Portion of the Proposed Effluent Force Main



APPROVED PLANS
PERMIT # LA 30715
DATE Sept. 28, 2015
(SEE PERMIT CONDITIONS)

4.5 Ocean Outfall

4.5.1 Location

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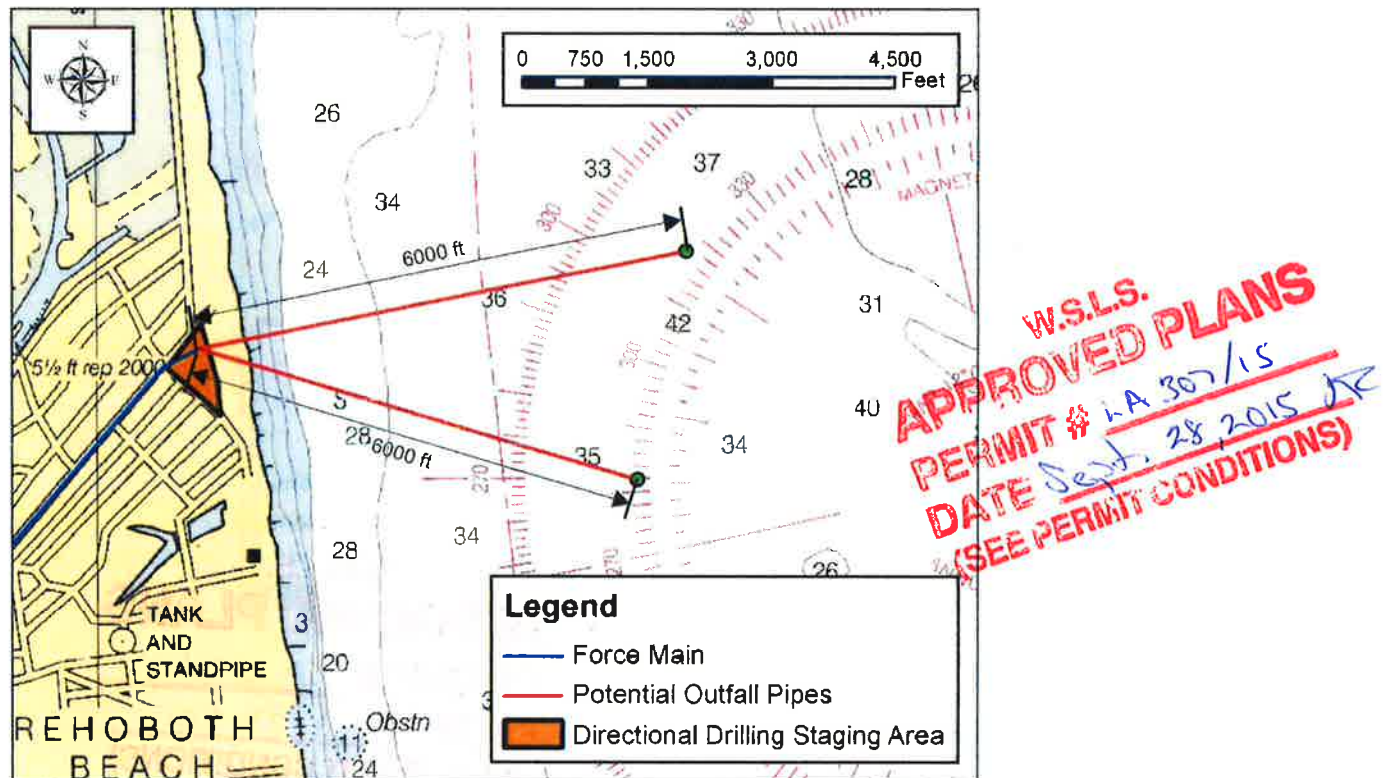
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Figure 4-4 Proposed Ocean Outfall Locations



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